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PREPARED BY IBM ATTORNEY - PRIVILEGE REVIEW REQUIRED

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	Name	Firm	Voice	Fax
From:	Grant Johnson	IBM Rochester IPLaw	507-253-4660	507-253-2382
To:	USPTO, EXAMINER DENNIS RUHL			703-872-4306

Subject: SUPPLEMENTAL AMENDMENT W/ DECLARATION

Our Ref.: Serial No. 09/934,913 / Docket No. EMD920010062US1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Applicant	:	C. L. Bates, et al.
Serial No.	:	09/834,913
Filed	:	22 Aug 2001
Examiner	:	Dennis William Ruhl
Art Unit	:	3629
Entitled	:	System and Method for Selecting, Recording, and Transmitting Video Images [as amended]
Docket No.	:	END920010062US1

SUPPLEMENTAL AMENDMENT

Commissioner for Patents
P.O. Box 1460
Alexandria, VA 22313-1460

Sir:

Further responsive to the Office action of 11/08/2004, applicants submit the enclosed Rule 131 affidavit to swear behind the effective date of the primary reference, Novais et al. (US 2003/0023452 A1), which was filed Jul. 30, 2001.

SUMMARY AND CONCLUSION

Applicants urge that the Novais reference be removed from consideration, and the case passed to issue with claims 48-50.


The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below

for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707.02(j) and 707.03 in order that allowable claims can be presented, thereby placing the Application in condition for allowance without further proceedings being necessary.

Sincerely,

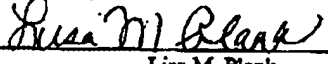
C. L. Bates, et al.

By


Grant A. Johnson
Reg. No. 42,896

Date: April 26, 2005

Phone: (507) 253-4860
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<p>CERTIFICATE OF FAX 37 CFR 1.8</p> <p>I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to fax number (703) 872-9306 to the attention of Examiner Dennis William Ruhl on April 26, 2005.</p> <p> Lisa M. Plank</p>
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